

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEVIN J. GREEN,

Defendant.

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Case No. 05-03096-17-CR-S-RED

ORDER

Pending before the Court is Defendant's Motion to Suppress Evidence from Warrant (Doc. 220), Government's Response to the Defendant's Motion to Suppress Evidence (Doc. 239), and Government's Response to Court's Order for Documents (Doc. 251).

Defendant claims that the seizure from Defendant or from a search of his residence and personal property, including narcotics and paraphernalia on January 30, 2005, was unlawful and in violation of Defendant's Fourth and Fifth, and Fourteenth Amendment rights for protection against unreasonable search and seizure.

On February 3, 2006, United States Magistrate Judge James C. England issued his Report and Recommendations (Doc. 266). On February 13, 2006, Defendant filed his objection and exceptions to Report and Recommendations of the United States Magistrate Judge regarding Defendant Green's Motion to Suppress (Doc. 267).

Upon careful and independent review of the pending motion, the suggestions filed by the parties in regard to said Motion, and a review of the applicable law, the Court hereby adopts and incorporates as its own opinion and order, the Report and Recommendation of United States Magistrate Judge James C. England.

Accordingly, it is hereby ordered that Defendant's Motion to Suppress Evidence from Warrant (Doc. 220) is overruled and denied.

IT IS SO ORDERED.

DATE: March 23, 2006

/s/ Richard E. Dorr
RICHARD E. DORR, JUDGE
UNITED STATES DISTRICT COURT